

B1  
cont.

wherein each  $R_5$  is independently hydrogen or a hydrocarbyl group and at least one  $R_5$  is hydrocarbyl, provided that the lubricant is free of metal deactivators, wherein the basic metal salt (A) is an overbased material and the ratio of equivalents of overbased material based on total base number to equivalents of hydrocarbyl phosphite based on phosphorus atoms is at least one.

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B2

10. (Twice Amended) A lubricating composition comprising a major amount of an oil of lubricating viscosity and (A) from about 0.02% to about 5% by weight of a basic metal salt of a carboxylic acylating agent and (B) a hydrocarbyl phosphite represented by the formula



wherein each  $R_5$  is independently a hydrocarbyl group of about 2 to about 8 carbon atoms, wherein (B) is present in an amount to deliver from about 0.01% to about 0.3% by weight phosphorus to the composition, provided that the lubricant is free of metal deactivators.

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B3

17. (Twice Amended) A lubricating composition prepared by blending a major amount of an oil of lubricating viscosity and (A) a basic metal salt of a carboxylic acylating agent and (B) a hydrocarbyl phosphite represented by the formula



wherein each  $R_5$  is independently hydrogen or a hydrocarbyl group and at least one  $R_5$  is hydrocarbyl, provided that the lubricant is free of metal deactivators, wherein the basic metal salt (A) is an overbased material and the ratio of equivalents of overbased material based on total base number to equivalents of hydrocarbyl phosphite based on phosphorus atoms is at least one.

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**A version of the above amended claims marked to indicate the specific amendments may be found in the attached Appendix, in accordance with 37 CFR 1.121(c)(1).**

#### REMARKS

Claims 4, 5, 7 and 13 have been canceled, without prejudice. Claims 1, 10 and 17 have been amended. Claims 1-3, 6, 8-12 and 14-20 are in the application upon entry of this amendment. Entry of this amendment, and reexamination and reconsideration of the